

performed on a sequential device and using the icon to transfer an edited time based stream to the sequential device. Applicant has reviewed the cited sections of Valdez and has been unable to discern any part of Valdez that teaches an icon that represents a function to be performed on a sequential device or using the icon to transfer an edited time based stream to the sequential device. Rather, Valdez teaches an editing system for transmitting synchronized interactive elements with a video signal. See Abstract Valdez. The Examiner has not identified and Applicant has been unable to discern any part of Valdez that teaches an icon that represents a function to be performed on a sequential device and using the icon to transfer an edited time based stream to the sequential device. Thus, the Applicant believes Valdez does not teach or suggest these elements of claim 1. If the Examiner maintains this rejection, it is respectfully requested that the Examiner clearly explains or indicates where in Valdez these elements of claim 1 are taught, specifically, where Valdez teaches the icon representing a function to be performed on a sequential device. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 1 are requested.

In regard to claim 2, the Examiner states that Valdez discloses editing a time based stream of information involving a three point editing between a source media and destination media citing columns 7-8, lines 1-67. However, Applicant has reviewed the cited sections of Valdez and has been unable to discern any portion of Valdez that teaches editing a time based stream using a three point edit. Rather, the cited section of Valdez describes the contents of Figures 3A-3D. Valdez, column 7, lines 33-37. The editing system illustrated by these figures operates by the manipulation of media objects that are abstracted representations of source material that is stored. See Valdez col. 7, line 37 – col. 8 line 36, and specifically col. 8 lines 35 and 36. Applicant is unable to discern any discussion of time based video stream editing including the use of three-point editing between a source media and a destination media in this description of figures 3A-3D or in the figures themselves. Therefore, Applicant does not believe Valdez teaches each element of claim 2. If the Examiner maintains this rejection, it is respectfully requested that the Examiner more clearly explains or indicates where in Valdez these elements of claim 2 are taught. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 2 are requested.

In regard to claims 3-6, these claims depend from independent claim 1 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 1, these claims are not anticipated by Valdez. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 3-6 are requested.

In regard to claim 7, the Examiner cites Figures 3A-4 of Valdez as teaching a black and coding of a tape in a sequential device. Applicant has reviewed these Figures of Valdez and has been unable to discern any part of the figures or any section describing the figures in Valdez that teaches black and coding of a tape in a sequential device. Therefore, Applicant does not believe Valdez teaches each element of claim 7. If the Examiner maintains this rejection, it is respectfully requested that the Examiner more clearly explains or indicates where in Valdez these elements of claim 7 are taught. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 7 is requested.

In regard to claim 8, this claim includes the elements of positioning a playhead of the sequential device based on a timecode indicator. Applicant has reviewed the cited sections of Valdez and has been unable to discern any part of Valdez that teaches positioning a play head of sequential storage device. The Examiner has not clearly identified and the Applicant has been unable to discern any part of Valdez that teaches positioning the playhead of a sequential device or positioning the playhead based on a timecode indicator. Thus, the Applicant believes Valdez does not teach or suggest these elements of claim 8. If the Examiner maintains this rejection, it is respectfully requested that the Examiner clearly explains or indicates where in Valdez these elements of claim 8 are taught, specifically, where Valdez teaches the positioning of a playhead of a sequential device. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 8 are requested.

In regard to claim 9, the Examiner cites column 21, lines 1-67 of Valdez as teaching "using one of a mark in icon and a mark out icon to position a playhead of said sequential storage device. " See claim 9, lines 2 and 3. Applicant has reviewed the cited section of Valdez and has been unable to discern any section of Valdez that teaches using two icons to position a playhead of a sequential

storage device. Therefore, the Applicant does not believe Valdez teaches each element of claim 9. If the Examiner maintains this rejection, it is respectfully requested that the Examiner more clearly explains or indicates where in Valdez this element of claim 9 is taught. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 9 are requested.

In regard to claim 10, this claim includes the element of an icon representing a function to be performed on a sequential device. As discussed in regard to claim 1, Valdez does not teach a means for transferring an edited time based stream to a sequential device using an icon. Thus, Valdez does not teach each element of claim 10. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 10 are requested.

In regard to claims 11-23, these claims depend from independent claim 10 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 10, these claims are not anticipated by Valdez. Further, claims 11, 15, 16 and 23 include elements also included in claims 2 and 7-9, respectively. Therefore, claims 11, 15, 16 and 23 are not anticipated by Valdez for the reasons mentioned in regard to claims 2 and 7-9. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 11-23 are requested.

In regard to claim 24, this claim includes the elements of an icon that represents a function to be performed on a sequential device. As discussed in regard to claim 1, Valdez does not teach such an icon. Thus, Valdez does not teach each element of claim 24. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 24 are requested.

In regard to claims 25-30, these claims depend from independent claim 24 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 24, these claims are not anticipated by Valdez. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 25-30 are requested.

In regard to claim 31, this claim, as amended, includes the elements of using an icon that represents a function to be performed on a sequential device. Thus, at least for the reasons mentioned in regard to claim 1, Valdez does not teach each element of claim 31. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 31 are requested.

In regard to claims 32- 39, these claims depend from independent claim 31 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 31, these claims are not anticipated by Valdez. Further, claims 32 and 37- 39 include elements also included in claims 2 and 7-9, respectively. Therefore, claims 32 and 37-39 are not anticipated by Valdez for the reasons mentioned in regard to claims 2 and 7-9. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 32-39 are requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-39 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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Dated: 11/15/02

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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231, on November 15, 2002.

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